

REMARKS

Claims 1-28 are the claims currently pending the Application.

Rejection of Claims 1-4, 9-12, 17-19 and 23-25 under 35 U.S.C. § 103

Claims 1-4, 9-12, 17-19 and 23-25 are rejected under 35 U.S.C. § 103 as being obvious from Valentine et al., U.S. Patent No. 6,011,973 in view Steer, U.S. Patent No. 6,643,517. This rejection is traversed.

Among the problems recognized and solved by Applicant's claimed invention is that of prohibiting certain uses of a cellular telephone in prohibited areas while minimizing the additional burdens and requirements imposed on the cellular telephone. According to an aspect of Applicant's claimed invention, a cellular telephone receives its geographical location from a base station and determines whether certain uses are prohibited in that area. According to a further aspect of Applicant's claimed invention, the cellular telephone receives its geographical location and information about location of prohibited sites.

For at least the following reasons, Applicant's claimed invention is neither anticipated by nor rendered obvious from the cited references. By way of example, independent claims 1, 9, 17 and 23 require a controller in a cellular phone, which receives second data from a base station, the second data specifying a geographical location of the cellular phone.

Valentine discloses restricting the operation of cellular telephones to well-delineated geographical areas using a cellular telephone that has a locating device to

ascertain the location of the cellular telephone (Valentine, column 1, lines 54-67).

Valentine discloses that the cell phone has a locating device to ascertain its own location, and compares the ascertained location with prohibited site locations (Valentine, column 1, lines 54-64), such that the prohibited site locations may be preprogrammed into the cell phone's own memory or downloaded from a cellular telephone network via a base station (Valentine, column 2, lines 45-67). The Examiner acknowledges that Valentine fails to disclose that the controller of the cell phone receives from a base station the second data specifying a geographical location of the cellular phone from a base station.

Steer discloses preventing undesirable radio transmissions from mobile telephones (Steer, Abstract), such that a base station broadcasts control signals, including base station location information (Steer, column 5, lines 40-50), and upon receipt of the broadcasted control message from the base station, the mobile station determines its location using known techniques (steer, column 6, lines 17-24). Steer discloses that the location finding technique preferred is based on "the receipt of downlink signals (base station to mobile radio) at the mobile radio since the mobile station may be in a fully protected zone and therefore, not be allowed to transmit. In other words, the calculation of the location mobile based on the measurements (of downlink signals) is done locally in the mobile" (Steer, column 9, lines 1-8, underline added).

Therefore, Valentine and Steer, even taken in combination, do not disclose or suggest the cited features of independent claims 1, 9, 17 and 23. For example, Valentine and Steer do not disclose or suggest a controller in a cellular phone, which receives second data specifying a geographical location of the cellular phone from a base station. First, as discussed Valentine and Steer do not disclose or suggest second data

specifying a geographical location of the cellular phone received from a base station. As discussed, Valentine and steer disclose that the cell phone determines its own location based on signal received.

Further, since Valentine and Steer do not disclose or suggest this feature, Valentine and Steer are incapable of disclosing or suggesting a controller in a cellular phone which receives second data specifying a geographical location of the cellular phone from a base station, as further required by independent claims 1, 9, 17 and 23. Accordingly, Valentine and Steer do not address the above-discussed problems recognized and solved by Applicant's claimed invention (for example, minimizing burden on the cell phone).

Claims 2-4, 10-12, 18-19 and 24-25 depend from independent claims 1, 9, 17 and 23, respectively, and thus incorporate novel and nonobvious features thereof. Therefore, claims 2-4, 10-12, 18-19 and 24-25 are patentably distinguishable over the prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should be withdrawn.

Rejection of Claims 5-8, 13-16, 20-22 and 26-28 under 35 U.S.C. § 103

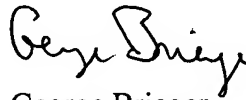
Claims 5-8, 13-16, 20-22 and 26-28 are rejected under 35 U.S.C. § 103 as being obvious from Steer, U.S. Patent No. 6,643,517. This rejection is traversed.

Steer does not disclose or suggest the above-discussed feature of a controller in a cellular phone which receives second data specifying a geographical location of the cellular phone from a base station, as *inter alia* required by independent claims 5, 13, 20 and 26.

Claims 6-8, 14-16, 21-22 and 27-28 depend from independent claims 5, 13, 20 and 26, respectively and thus are patentably distinguishable with prior art for at least the reasons that their respective base claims are patentably distinguishable over the prior art. Accordingly, this rejection should be withdrawn.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "George Brieger".

George Brieger
Registration No. 52,652

Scully, Scott, Murphy & Presser
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343 Ext. 508

GB:ar